IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 452 OF 2002

IN

CHAMBER SUMMONS NO. 1533 OF 2001

IN

SUIT NO. 1065 OF 1981

Jagdish R. Singh ... Appellant
(Orig. Plaintiff)

Versus

Keki Rattansha Kalapesi & Ors. ... Respondents

Mr.A.S.Khandeparkar with D.Brijh i/b. B. Amin & Co. for the appellant.

Mr. G.Joshi with D.D.Mehta i/b. M/s. Mulla & Mulla & Crauigie Blunt & Caroe for the Respondents.

CORAM: D.K.DESHMUKH &
J.H.BHATIA,JJ.
DATE: 23rd October,2007.

P.C.

1. This Appeal is preferred against the order

passed by a learned Single Judge of this Court dated 22nd January, 2002 declining to condone the delay of 19 years in carrying out amendment in the plaint.

2. In view of the Judgment of the Supreme Court in the case of **Shah Babulal Khimji vs. Jayaben D. Kania and another reported in (1981) 4 SCC 8,** the Appeal is not maintainable.

The Appeal is disposed of as such.

--

(D.K.DESHMUKH,J.)

(J.H.BHATIA,J.)